

WILLIAM L. OWENS
23RD DISTRICT, NEW YORK

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Congress of the United States

House of Representatives

Washington, DC 20515

February 21, 2012

PLEASE RESPOND TO
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The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson,

I am writing to follow up on Alcoa Incorporated's petition for rulemaking addressing the Environmental Protection Agency's (EPA) Effluent Limitations Guidelines (ELG) as they pertain to operations at Alcoa's Massena East facility in St. Lawrence County, New York. According to Alcoa, the Massena East smelting operation is the only such facility in the United States subject to this particular ELG subcategory. Moreover, I understand the technology Alcoa uses today to comply with the ELG regulations is also fully compliant with the "Best Available Technology" standards set forward by the EPA, yet the facility reports they cannot consistently achieve the ELG. With this in mind, I ask that you give Alcoa's petition for rulemaking swift and full consideration in the weeks ahead.

Through discussions between my office and Alcoa's staff, it is apparent that EPA has worked in earnest since 2006 to review Alcoa's data on the subject and consider their concerns, and I appreciate those efforts. In a letter from EPA's Engineering and Analysis Division to Alcoa dated March 8, 2011, Director Mary T. Smith notes the "continuous and remarkable improvement" Alcoa's facilities have shown in managing water discharge from 2003 to 2009. Alcoa, however, is currently in the midst of examining a proposal to invest more than \$600 million to modernize its Massena East and West facilities. It is reasonable to assume this investment, while positive for the community and for Alcoa's operations, will bring new challenges in complying with ELG regulations. As such, it is important that Alcoa have confidence in their ability to comply with the regulatory framework set in place so they can focus on the task of bringing their new investment online.

If it would help expedite the process or resolve any discrepancies in the analysis of data related to this issue, I would urge you to consider allowing a third party to review the materials Alcoa has provided. It is my hope that EPA and Alcoa can come to a mutually agreeable solution to the petition for rulemaking to the benefit of the environment and the local economy. Again, I appreciate your prompt and full consideration of their request, and stand ready to assist in any way that I can. My door is always open.

Sincerely,

Bill Owens
Member of Congress